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*Attorneys for Plaintiffs*  
*David Martin, Michael Reynolds, Bette Bahni, and Angela Uribe*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

**CANON BUSINESS SOLUTIONS - NEWCAL,  
INC., a California Corporation;  
DAVID MARTIN, an individual;  
MICHAEL REYNOLDS, an individual; BETTE  
BAHNI, an individual, and ANGELA URIBE, an  
individual,**

**Plaintiffs,**

**v.**

**IKON OFFICE SOLUTIONS, INC.,  
an Ohio Corporation; and  
DOES 1 THROUGH 100,**

**Defendants.**

Case No.: CV 08-5745 JW

**STIPULATED REQUEST FOR ORDER**  
**CONTINUING HEARING ON**  
**MOTION OF DEFENDANT IKON**  
**OFFICE SOLUTIONS TO DISMISS**  
**OR, IN THE ALTERNATIVE, TO**  
**STAY, THE CLAIMS OF PLAINTIFFS**  
**URIBE, REYNOLDS, AND MARTIN**  
**(AND THE CLAIMS OF CANON**  
**BUSINESS SOLUTIONS - NEWCAL,**  
**INC. THAT ARE DERIVATIVE OF**  
**THE CLAIMS ALLEGED BY URIBE,**  
**REYNOLDS, AND MARTIN) AND**  
**CONTINUING CASE MANAGEMENT**  
**STATEMENT AND CASE**  
**MANAGEMENT CONFERENCE**

**AND [PROPOSED] ORDER**

**Original Date:** April 13, 2009  
**Original Time:** 9:00 a.m.  
**Continued Date:** June 8, 2009  
**Continued Time:** 9:00 a.m.  
**Courtroom:** 8  
**Judge:** Hon. James Ware

1 The Motion of Defendant IKON Office Solutions, Inc. to dismiss or, in the alternative, to  
 2 stay, the claims of Plaintiffs Uribe, Reynolds, and Martin (and the claims of Canon Business  
 3 Solutions – NewCal, Inc. that are derivative of the claims alleged by Uribe, Reynolds, and Martin)  
 4 (“IKON’s Motion to Dismiss or Stay”) is currently scheduled for hearing before this Honorable  
 5 Court on April 13, 2009 at 9:00 a.m.

6 The basis for IKON’s Motion to Dismiss or Stay is, in part, that an earlier-filed case, *IKON*  
 7 *Office Solutions Inc. v. Angela Uribe, Michael Reynolds, David Martin*, [and now also] *Oscar Erazo,*  
 8 *Noor Jabbar, and Daniel Eade*, Civil Action No. 08-CV-5829 (CMR), is already pending in the  
 9 United States District Court for the Eastern District of Pennsylvania (the “Pennsylvania Federal  
 10 Court Action”).

11 The Court in the Pennsylvania Federal Court Action has ordered the parties to that action to  
 12 participate in a settlement conference, concerning which we are awaiting confirmation of scheduling,  
 13 expected to be in the timeframe of April 28-May 8, 2009. In light of this settlement conference, the  
 14 parties to the above-captioned action jointly agree to continue IKON’s Motion to Dismiss or Stay to  
 15 June 8, 2009, at 9:00 a.m., or as soon thereafter as this matter may be heard, in Courtroom 8, before  
 16 the Honorable James Ware, located at 280 S. 1st Street, Fourth Floor, San Jose, California 95113.

17 As a result, the parties also jointly request a continuance of the Case Management Statement  
 18 due date from April 20, 2009 to May 22, 2009, and a continuance of the Case Management  
 19 Conference from May 4, 2009 to June 8, 2009, or as soon thereafter as is convenient for the Court.

20 In accordance with Civil Local Rules 6-1 and 6-2, the parties hereby submit this Stipulated  
 21 Request, and the Declaration of Lina M. Brenner in support thereof, seeking an order granting:  
 22 1) continuance of the hearing on IKON’s Motion to Dismiss or Stay to June 8, 2009; 2) a  
 23 commensurate continuance of the filing deadlines for all opposition and reply briefs, pursuant to  
 24 Civil Local Rule 7-3; 3) continuance of the Case Management Statement due date from April 20,  
 25 2009 to May 22, 2009; and 4) continuance of the Case Management Conference from May 4, 2009  
 26 to June 8, 2008, or as soon thereafter as is convenient for the Court.

Respectfully submitted,

Dated: March 20, 2009

DUANE MORRIS LLP

By: \_\_\_\_\_ /s/

Lina M. Brenner  
Attorneys for Defendant  
IKON Office Solutions, Inc.

DORSEY & WHITNEY LLP

By: \_\_\_\_\_/s/

John G. Hursh  
Karen Elizabeth Wentzel  
Attorneys for Plaintiffs

## ORDER


The hearing regarding IKON's Motion to Dismiss Or Stay is hereby continued to June 8, 2009, at 9:00 a.m., with a commensurate continuance of the filing deadlines for all opposition and reply briefs, pursuant to Local Rule 7-3.

The due date for the parties' Case Management Statement is hereby continued to May 22, 2009.

The Case Management Conference is hereby Continued to June 8, 2009 at 10:00 AM

IT IS SO ORDERED.

Date: March 20, 2009

  
Hon. James Ware  
United States District Court